

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 2-48 are pending.

In the Official Action, Claims 2-8, 14, 17, 20, 22-23, 25-27, 38-39, 42-44 and 47-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maxham et al. (U.S. Patent Publication No. 2004/0187075, hereinafter Maxham) in view of Koppich (U.S. Patent Publication No. US 2005/0141028). Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) in view of Maxham, Koppich and Shaughnessy (U.S. Patent Publication No. 2004/0205664). Claim 11 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Howard (U.S. Patent No. 6,098,079). Claim 12 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Chi (U.S. Patent No. 5,978,917). Claim 13 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich, Howard and Kumashio (U.S. Patent Publication No. 2004/0193631). Claims 15 and 16 were rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Shaughnessy and Riss et al. (U.S. Patent Publication No. 2004/0103367). Claim 18 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Eagle (U.S. Patent No. 2003/0145209). Claims 19 and 21 were rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Howard. Claim 24 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich, Howard and Gladney (U.S. Patent No. 2003/0131241). Claims 28, 40, 41, 45 and 46 were rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Krachman (U.S. Patent No. 2004/0199555.). Claim 29-32 were rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich and Kenner et al. (U.S. Patent No. 6,421,726). Claims 33-34 were rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich, Kenner and Black et al. (U.S. Patent Publication No. 2002/0059317. Claim 36 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich, Kenner and McIver (CADINFO Article). Claim

37 was rejected under 35 U.S.C. 103(a) in view of Maxham, Koppich, Kenner, McIver and Windows (Windows Article)

Applicants file herewith a Declaration of Prior Invention under 37 C.F.R. 1.131 establishing a data of conception, coupled with due diligence, starting prior to January 8, 2003, which is the filing date for provisional application 60/438508, which is the priority document for U.S. Patent Publication 2005/0141028 to Maxham. In view of this filed Declaration, Maxham is not available as a reference under 35 U.S.C. § 102 or § 103.

Accordingly, in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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